

EXHIBIT A

IN THE UNITED STATES DISTRICT
COURT FOR THE WESTERN DISTRICT
OF TEXAS AUSTIN DIVISION

FLASHPARKING, INC. §
§
§
V. § Civil No. 1:23-CV-772-DII
§
MICHAEL SELLERS MACDONALD §

DECLARATION OF LESSIE C. GILSTRAP

1. My name is Lessie C. Gilstrap . I am the lead attorney for Flash Parking, Inc. (“Flash Parking”) in the above-referenced lawsuit. I have personal knowledge of all the facts herein, and they are all true and correct. This declaration is submitted in support of Flash Parking’s Notice of Attorneys’ Fees filed herein.

2. I have been licensed to practice law in Texas since 1999 and have remained a member in good standing of the State Bar of Texas since that time. I am a partner with the firm Gilstrap Law Group PC (“GLG”). Assisting me in representing FlashParking is Ms. Glorieni M. Azereido, who has been licensed to practice law in Texas since 2013 and who has remained a member in good standing of the State Bar of Texas since that time. Our experience is detailed in our profiles appearing at www.gilstraplawgroup.com and www.linkedin.com.

3. I am familiar with normal and reasonable legal fees necessary for a case of this type in the Western District of Texas. My billing rate is \$485 per hour. Ms. Azereido billed at the hourly rate of \$225 in 2023 and the hourly rate of \$295 in 2024. In my opinion, these rates are reasonable and necessary for the services rendered in this matter as compared with fees customarily charged in the Western District of Texas for similar legal services, taking into account the reputation, experience, and skills of the professionals involved. In connection with the opinions I express herein, I have considered whether in this case any of the governing factors under federal law warrant a deviation from application of the “lodestar” method of calculating fees based upon reasonable rates and the hours expended, and I have concluded that they do not.¹

¹ Those factors and their application to the instant case are as follows:

- (1) the time and labor required, the novelty and difficulty of the questions involved, and the skill required to perform the legal service properly [this case required moderate skill];
- (2) the likelihood ... that the acceptance of the particular employment will preclude other employment by the lawyer [the emergency nature of the state court case, the request for remand, and the responses to motions did preclude other employment];
- (3) the fee customarily charged in the locality for similar legal services [the rates charged are consistent];
- (4) the amount involved and the results obtained [Defendant hindered FlashParking’s ability to proceed in state court by removing the lawsuit to this Court and filing needless motions. FlashParking was successful in obtaining a remand.];

4. I have practiced law in the area of commercial litigation in state and federal court for over 20 years in Texas, and specifically in Austin, Texas for the last 12 years. Ms. Azeredo also has litigation experience in state and federal court.

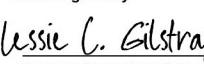
5. The novelty and difficulty of the questions involved in this case required Ms. Azeredo and me to work a total of approximately **29.5** hours relating to the Motion for Remand (the “Motion”) and the Reply in Support of the Motion (“Reply”), which are itemized and detailed on the billing records of GLG attached to this Declaration as **Exhibit A-1**. Exhibit A-1 is a true and correct copy of GLG’s billing records for the services it provided to FlashParking relating to the Motion and Reply. A summary of such invoices is attached as **Exhibit A-2**. Exhibit A-2 is a true and correct copy of a summary of GLG’s billing records, which was created by Ms. Azeredo. As shown therein, these services were reasonable and necessary, were charged at reasonable rates totaling **\$12,097.50**, and included the following tasks: (i) review of the state court pleadings filed in this Court; (ii) preparing the Supplemental Record, (iii) research for the Motion and Reply; and (iv) drafting the Motion and Reply.

6. Also reflected on Exhibit A-2 is a summary of the work performed by Ms. Azeredo and me in February of 2024 in finalizing and filing the Notice and this Declaration. Specifically, a total of **5.3 hours** was spent in connection with the Notice, for which the reasonable and necessary attorneys’ fees were **\$1,715.50**.

7. Considering the foregoing, it is my opinion that **\$13,813.00** is a reasonable, necessary, usual and customary fee for the services performed in connection with the Motion, Reply and Notice.

I, Lessie C. Gilstrap, do hereby declare under penalty of perjury that the foregoing is true and correct.

SIGNED this 26th day of February, 2024.

DocuSigned by:

Lessie C. Gilstrap
3748745D07B42D

-
- (5) the time limitations imposed by the client or by the circumstances [significant time pressure existed due to Defendant’s removal to this Court and filing multiple motions];
 - (6) the nature and length of the professional relationship with the client [Ms. Gilstrap has represented Flash Parking since 2018];
 - (7) the experience, reputation, and ability of the lawyer or lawyers performing the services [GLG’s attorneys are experienced, highly regarded and well recognized]; and
 - (8) whether the fee is fixed or contingent on results obtained or uncertainty of collection before the legal services have been rendered [the fee was hourly].

Rodriguez v. Mech. Tech. Services, Inc., No. 1:12-CV-710-DAE, 2015 WL 8362931, at *2 (W.D. Tex. Dec. 8, 2015)[bracketed information added].

EXHIBIT A-1**INVOICE**

Invoice # 159

Date: 08/02/2023

Due On: 09/01/2023

Gilstrap Law Group PC

1801 E. 51st Street, Suite 365-295
Austin, Texas 78723

FlashParking AP

00033-FlashParking AP**FP: MacDonald**

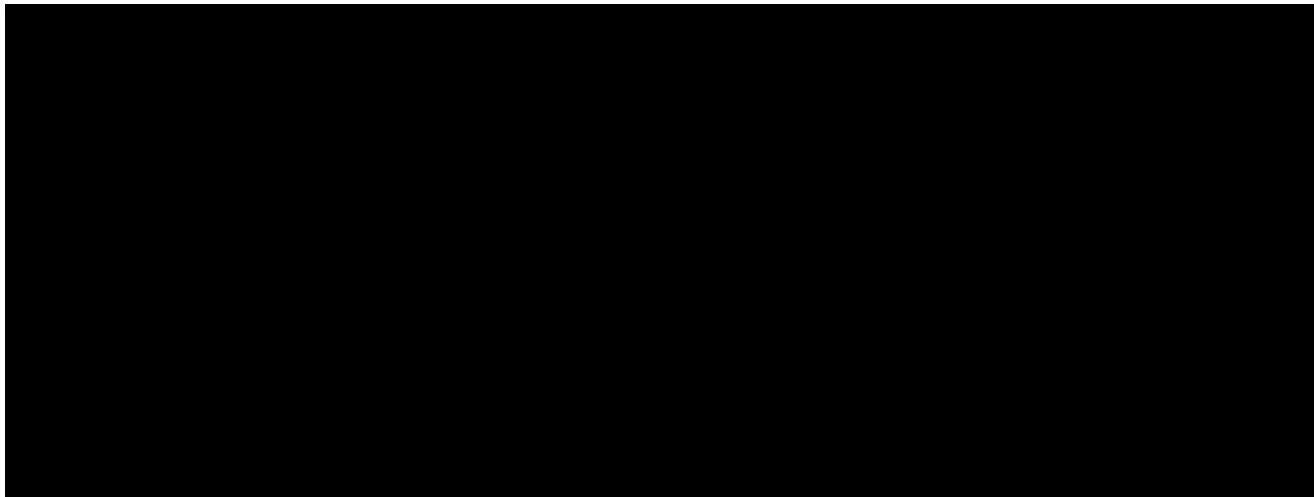
Type	Date	Notes	Attorney	Quantity	Rate	Total

Service	07/07/2023	correspondence with LCG; attend hearing on motion for special appearance and on application for TI; drafted [REDACTED]; email correspondence and call with the court [REDACTED]; reviewed notice of removal and obtained federal filings	GA	4.10	\$225.00	\$922.50 0.3 attributed to Notice of Removal and federal filings
Service	07/10/2023	Research requirements for removal and remand	LG	1.40	\$485.00	\$679.00
Service	07/10/2023	Call with federal district clerk [REDACTED] [REDACTED]; call and correspondence with LCG [REDACTED]	GA	0.60	\$225.00	\$135.00

Service	07/17/2023	Prepared notice of supplemental court record; correspondence with LCG [REDACTED]	GA	0.60	\$225.00	\$135.00
Service	07/18/2023	Review/revise Supplemental Record; research [REDACTED]	LG	0.50	\$485.00 0.3 attributed to Supplemental Record	\$242.50
Service	07/18/2023	prepared exhibits for Supplemental Record and filed with court	GA	0.50	\$225.00	\$112.50
Service	07/21/2023	Researched cases for Motion for remand	GA	1.00	\$225.00	\$225.00
Service	07/28/2023	Drafted Motion for Remand and sent to LCG [REDACTED]	GA	2.80	\$225.00	\$630.00
Service	07/30/2023	Review/revise motion to remand	LG	1.30	\$485.00	\$630.50
Service	07/31/2023	Draft/revise motion to remand; research [REDACTED]	LG	3.80	\$485.00	\$1,843.00

Time Keeper	Position	Quantity	Rate	Total
-------------	----------	----------	------	-------

Detailed Statement of Account



Please make all amounts payable to: Gilstrap Law Group PC

Please pay within 30 days.

**INVOICE**

Invoice # 177

Date: 09/01/2023

Due On: 10/01/2023

Gilstrap Law Group PC

1801 E. 51st Street, Suite 365-295
Austin, Texas 78723

FlashParking AP

00033-FlashParking AP**FP: MacDonald**

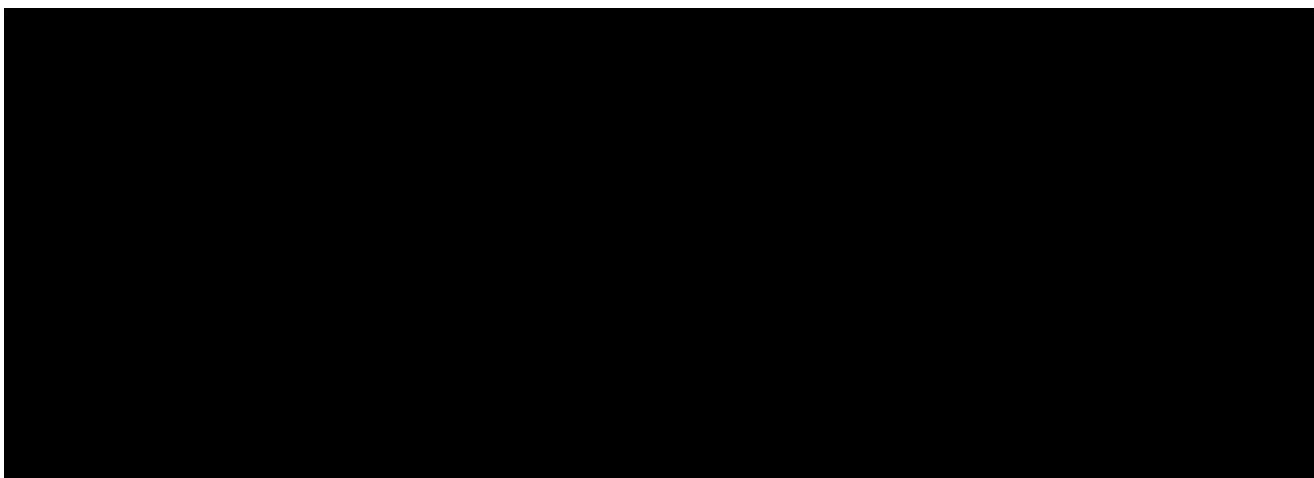
Type	Date	Notes	Attorney	Quantity	Rate	Total
Service	07/30/2023	Review/revise motion to remand	LG	1.30	\$485.00	\$630.50
Service	08/02/2023	Revise/finalize motion to remand and proposed order	LG	2.90	\$485.00	\$1,406.50
Service	08/02/2023	Finalized exhibits and motion for remand; drafted proposed order; correspondence with LCG [REDACTED]; filed Motion for Remand	GA	2.10	\$225.00	\$472.50
Service	08/10/2023	Brief review of filings; memo to client [REDACTED]; review motion to remand and research [REDACTED]	LG	1.50	\$485.00 1.1 attributed to Motion for Remand	\$727.50
[REDACTED]						
Service	08/14/2023	Review federal filings and exhibits; begin drafting reply re motion for remand; research [REDACTED]	LG	2.20	\$485.00	\$1,067.00
Service	08/15/2023	Draft/revise Reply re Motion to Remand and research [REDACTED]	LG	5.70	\$485.00	\$2,764.50
Service	08/15/2023	correspondence with LCG re: [REDACTED] [REDACTED]	GA	0.30	\$225.00	\$67.50
Service	08/16/2023	Draft/revise [REDACTED] [REDACTED]; client communications regarding [REDACTED] [REDACTED]; revise and finalize reply re motion	LG	6.60	\$485.00 2.3 attributed to Reply re Motion for Remand	\$3,201.00

to remand

Service 08/17/2023 Finalized reply re motion for remand, filed
and served the same; drafted [REDACTED]
[REDACTED]; call with client re:
[REDACTED]; drafted [REDACTED] and sent to
LCG [REDACTED].

GA 2.40 \$225.00 \$540.00
0.3 attributed to Reply re Motion for Remand

Time Keeper	Position	Quantity	Rate	Total

Detailed Statement of Account

Please make all amounts payable to: Gilstrap Law Group PC

Please pay within 30 days.

EXHIBIT A-2**Flash Parking Motion for Remand Attorney's Fees**

Date	Attorney Name	Rate per Hour	Hours Billed	Fees
7/07/2023	Azeredo	\$225	0.3	\$67.50
7/10/2023	Gilstrap	\$485	1.4	\$679.00
7/10/2023	Azeredo	\$225	0.6	\$135.00
7/17/2023	Azeredo	\$225	0.6	\$135.00
7/18/2023	Gilstrap	\$485	0.3	\$145.50
7/18/2023	Azeredo	\$225	0.5	\$112.50
7/21/2023	Azeredo	\$225	1.0	\$225.00
7/28/2023	Azeredo	\$225	2.8	\$630.00
7/30/2023	Gilstrap	\$485	1.3	\$630.50
7/31/2023	Gilstrap	\$485	3.8	\$1,843.00
			Total Attorney Fees July 2023 (12.6 hrs)	\$4,603.00
8/02/2023	Gilstrap	\$485	2.9	\$1,406.50
8/02/2023	Azeredo	\$225	2.1	\$472.50
8/10/2023	Gilstrap	\$485	1.1	\$533.50
8/14/2023	Gilstrap	\$485	2.2	\$1,067.00
8/15/2023	Gilstrap	\$485	5.7	\$2,764.50
8/15/2023	Azeredo	\$225	0.3	\$67.50
8/16/2023	Gilstrap	\$485	2.3	\$1,115.50
8/17/2023	Azeredo	\$225	0.3	\$67.50
			Total Attorney Fees August 2023 (16.9 hrs)	\$7,494.50

Date	Attorney Name	Rate per Hour	Description of Work on Notice of Attorney's Fees	Hours Billed	Fees
2/14/2024	Gilstrap	\$485	Review order for remand; communications with client; call with GA	0.4	\$194.00
2/16/2024	Azeredo	\$295	Drafted tables for attorney's fees and sent to LCG for review; began draft of	3.3	\$973.50

			declaration of attorneys' fees		
2/21/2024	Gilstrap	\$485	Review and revise tables for attorney's fees; review exhibits	0.4	\$194.00
2/21/2024	Azeredo	\$295	Correspondence and call with LCG re: exhibits for attorney's fees	0.5	\$147.50
2/22/2024	Azeredo	\$295	Revised exhibits and declaration and sent to LCG for review	0.7	\$206.50
				Total Attorney Fees February 14-22, 2024 (5.3hrs)	\$1,715.50

Total Fees Incurred for Motion for Remand: \$13,813.00

Total Hours Incurred: 34.8